IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 748 OF 1996

The Catheloc Syrian Bank Ltd. ...Plaintiffs
V/s.
Mrs.Indu Krishnan & Ors. ...Defendants

Mosam Mody i/b. C.A. Menon for Plaintiffs.

CORAM : A.S. AGUIAR, J.
DATED : APRIL 28, 2005.

P.C. :-

1. Learned Advocate for the plaintiffs states that the defendant no.3 has expired and time was taken earlier for taking out appropriate proceedings for bringing the heirs on record.

2. So far no steps have been taken. Learned Advocate for the plaintiffs states that plaintiffs does not wish to press for decree against the heirs of defendant no.3. So far as defendants no.1 and 2 are concerned, suit is transferred by the order of the Prothonotary & Senior Master dated 13th June, 2002, to the list of Undefended Suits as the said defendants had not appeared though served.

3. Since there is no written statement on behalf of

defendants no.1 and 2, there will be decree in favour of the plaintiffs against the defendants no.1 and 2 under Order VIII Rule 10 of CPC in terms of prayer clause (a). No order as to costs. Suit to stand disposed of.

4. Court Receiver appointed by order dated 7th November, 1997 to continue as Receiver in execution.

. Certified copy expedited.

(A.S. Aguiar, J.)